

VIRGINIA:

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

SUPPLEMENTAL ORDER REGARDING DOCKET NUMBER
VGOB 12-0821-3083

ELECTIONS: UNIT BA-118
(herein "Subject Drilling Unit")

REPORT OF BOARD

FINDINGS AND ORDER

This Supplemental Order is entered by the Board *sua sponte* in the form authorized by the Board at hearings held on February 15, 1994 and June 16, 1992; and this Supplemental Order is being recorded for the purpose of supplementing the Order previously in the captioned matter on November 26, 2012 which was recorded at Dead Book 756, Page 786 in the Office of the Clerk of the Circuit Court of Russell County, Virginia, on January 11, 2013, (herein "Board Order") and completing the record regarding elections.

Findings: The Board finds that:

The Board Order directed CNX GAS COMPANY LLC (herein "Designated Operator") to mail copies of the Board Order to all Respondents whose interests, if any, were pooled by the said Board Order;

The Designated Operator filed its affidavit of elections disclosing that it had mailed a true and correct copy of the Board's Order to all Respondents whose interests, if any, were pooled by said Board Order;

The Board Order required each Respondent whose interests, if any, were pooled by the terms of said Board Order to make an election within thirty (30) days after the date of mailing or recording, as applicable, of said Order; the affidavit of elections filed herein and annexed hereto as Exhibit A states: (i) whether each Respondent has made or failed to make a timely election; (ii) the nature of any election(s) made; and (iii) whether, by reason of a failure to elect or to timely elect one or more Respondents are deemed, under the terms of the Board's Order, to have leased all their rights, title, interests, estates and claims in Subject Drilling Unit to the Applicant;

That the affidavit of elections annexed hereto with the Exhibits submitted therewith identifies the Respondent(s) making a timely election, if any; identifies the Respondent(s), if any, who are deemed to have leased; identifies the conflicting interests and claims which require escrow; identifies the interests and claims, if any, requiring escrow under Virginia Code section 45.1-361.21.D; and identifies the Respondents, if any, who may be dismissed by reason of having leased or entered into a voluntary agreement with the Applicant.

The affidavit of elections indicates whether or not the escrow of funds is required with regard to Unit BA-118;

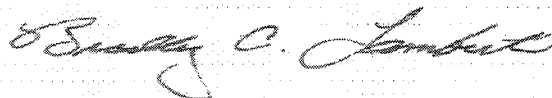
Order: By this Order, the Board orders the Designated Operator to tender, consistent with and in accordance with the findings set forth at paragraph 2. above and the annexed affidavit of elections with Exhibits thereto, any funds subject to escrow and instructs the Escrow Agent, First Bank & Trust Company, 38 E. Valley Drive, Bristol, VA 24201, Attn: Debbie Davis or any successor named by the Board to establish interest bearing escrow account(s), IRS Tax Identification Number 54-1629506, in accordance with the information set forth in the affidavit of elections with Exhibits thereto, to receive funds and account to the Board therefore.

Mailing of Order and Filing of Affidavit: The Designated Operator under the captioned Order or shall file an affidavit with the Secretary of the Board within ten (10) days after the date of receipt of this Order stating that a true and correct copy of this Order was mailed to each Respondent whose interests or claims are subject to escrow and whose address is known within seven (7) days from the date of receipt of this Order.

Conclusion: Therefore, the findings and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

Effective Date: This Order shall be effective on the date of its execution.

DONE AND EXECUTED this 25 day of March, 2013 by a majority of the Virginia Gas and Oil Board.



Chairman, Bradley C. Lambert

DONE AND PERFORMED this 25 day of March, 2013 by Order of the Virginia Gas and Oil Board.



Rick Cooper
Principal Executive to the
staff, Virginia Gas and Oil Board

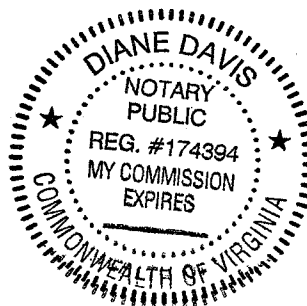
COMMONWEALTH OF VIRGINIA
COUNTY OF RUSSELL

Acknowledged on this 25th day of March, 13 personally before me a notary public in and for the Commonwealth of Virginia, appeared Bradley C. Lambert, being duly sworn did depose and say that he is the Chairman of the Virginia Gas and Oil Board and Rick Cooper, being duly sworn did depose and say that he is Principal Executive to the staff of the Virginia Gas and Oil Board, that they executed the same and was authorized to do so.



Diane J. Davis, Notary Public
174394

My Commission expires: September 30, 2013



VIRGINIA:

Exhibit A

BEFORE THE VIRGINIA GAS AND OIL BOARD

IN RE:

Application of CNX Gas Company LLC for Forced Pooling of Interests in CBM Unit BA-118
VGOB 12-0821-3083 in the New Garden District of Russell County, Virginia

AFFIDAVIT OF CNX GAS COMPANY LLC (herein "Designated Operator") REGARDING
ELECTIONS, ESCROW AND SUPPLEMENTAL ORDER

Anita D. Duty, being first duly sworn on oath, deposes and says:

That your affiant is employed by CNX Gas Company LLC, as a Pooling Supervisor and is duly authorized to make this affidavit on behalf of CNX GAS COMPANY LLC, the designated operator;

That the Order entered on November 26, 2012, by the Virginia Gas and Oil Board (hereinafter "Board") regarding the captioned CBM Unit required the Applicant to mail a true and correct copy of said Order to each person pooled by the Order;

That within seven (7) days of receipt of an executed copy of the Order referred to at paragraph 2. above, your affiant caused a true and correct copy of said Order to be mailed via the United States Postal Service to each Respondent named in the captioned Application, whose address was known, and to all persons, if any, who were added as Respondents at the hearing held in the captioned matter; that proof of such mailing has previously been tendered to the Division of Gas and Oil, the Office of the Gas and Oil Inspector, at Abingdon, Virginia;

That the Order of the Board in the captioned matter required all persons pooled thereby to tender their written elections to the Unit Operator within thirty (30) days of the date the Order was recorded in the counties identified above; that said Order was recorded on January 11, 2013;

That the designated operator CNX GAS COMPANY LLC has established procedures to review all mail received and all written documents received other than by mail to ascertain whether parties whose interests have been pooled have made a written election, in a timely fashion, as required by the captioned Order; that said procedures were followed to identify the elections, if any, made with regard to the Subject Unit; that the following persons delivered, by mail or otherwise, written elections the Unit Operator, within the thirty day elections period:

None.

That Respondents identified in Exhibit B-3 hereto are, having failed to make any election, deemed to have leased their coalbed methane rights, interests and claims to Applicant, all as provided in the Board's Order of November 26, 2012;

See attached Exhibit B-3

That the rights, interests and claims of the following persons are subject to escrow under the Board's Order pooling the captioned Unit, Board Regulations and the Code of Virginia;

See attached Exhibit E

That after the pooling hearing held in the captioned matter, the following persons have entered into a voluntary agreement with the Designated Operator:

None

That to the extent any of said persons listed in Exhibit B-2 have rights, interests and claims which are subject to escrow, they should be dismissed as respondents; the Operator requests that the following persons be dismissed as Respondents:

None

That the persons identified in Exhibit EE attached hereto have entered into royalty split agreements that allow the Applicant/Designated Operator to pay them directly without the need to escrow funds which would otherwise be in conflict.

See attached Exhibit EE

That pursuant to the provisions of VAC 25-160-70.A.10. and C. and VAC 25-160-80 the annexed supplemental order sets forth the interests and claims that require escrow of funds pursuant to Virginia Code sections 45.1-361.21.D. and 45.1-361.22.A.3. and 4.

Dated at Mercer, West Virginia, this 4th day of March, 2013.

Anita D. Duty
Anita D. Duty

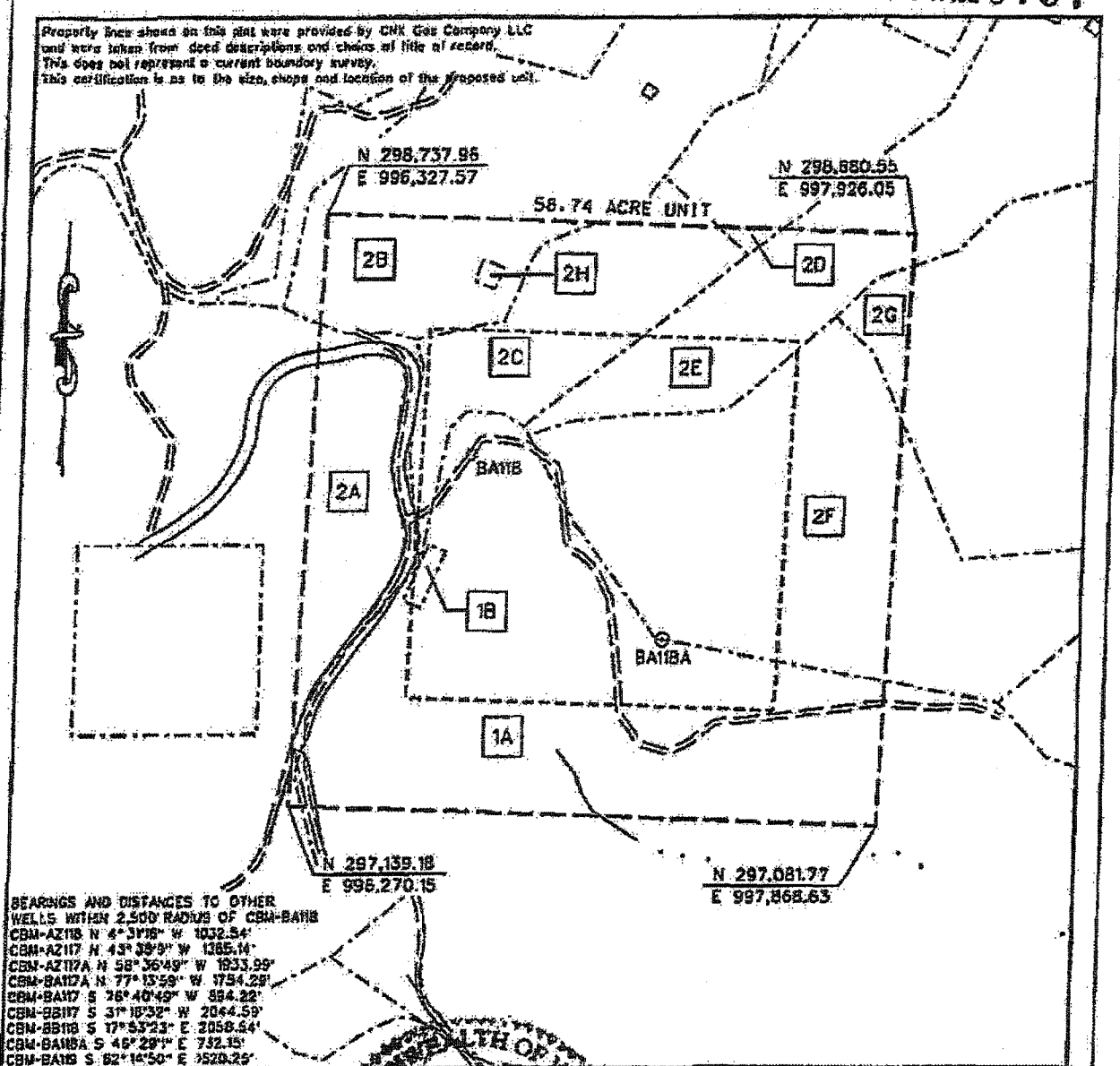
Taken, subscribed and sworn to before me by Anita D. Duty as a Pooling Supervisor for CNX Gas Company LLC, on behalf of the corporate Designated Operator, this 4th day of March, 2013.

Melissa Cumbow
Notary

My commission expires: April 9, 2023



Property lines shown on this plat were provided by CNX Gas Company LLC and were taken from deed descriptions and chains of title of record. This does not represent a current boundary survey. This certification is as to the size, shape and location of the proposed well.



- CNX WELL
● PROPOSED CNX WELL

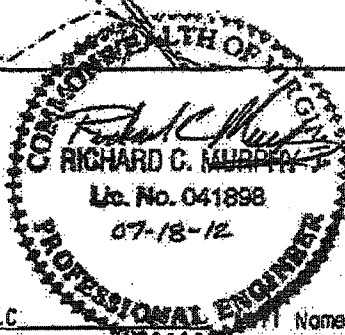


EXHIBIT A
MIDDLE RIDGE FIELD
UNIT BA118
FORCE POOLING
VGOB-12-0821-3083

Company CNX Gas Company LLC Well Name and Number UNIT BA118
Tract No. Elevation Quadrangle HONAKER
County RUSSELL District NEW GARDEN Scale: 1" = 400' Date
This plat is a new plat X ; an updated plat ; or a final plat

Form GGO-GO-7
Rev. 9/91

Richard C. Murphy (Affix Seal)
Licensed Professional Engineer or Licensed Land Surveyor

CNX Gas Company LLC

Unit BA118

Tract Identifications

(58.74 Acre Unit)

1. Swords Creek Land Partnership Tr. 14 (Shadrick Ray 123.81 Acre Tract) – Minerals
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Company – Tiller and Above Coal Leased
CNX Gas Company LLC – Oil, Gas and CBM Leased
22.20 acres 37.7937%
- 1A. Swords Creek Land Partnership - Surface
- 1B. Unknown Surface Owner (Cemetery)
- 2A. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Company – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Dallas J. Whited – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
5.72 acres 9.7376%
- 2B. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Company – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Leslie Peck, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
3.90 acres 6.8394%
- 2C. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Company – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Leslie Peck, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
6.29 acres 10.7082%
- 2D. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
Reserve Coal Properties Company – Below Tiller Coal Leased
Knox Creek Coal Company – Tiller and Above Coal Leased
CNX Gas Company LLC – CBM Leased
Leslie Peck, et ux – Surface, Oil and Gas
CNX Gas Company LLC – Oil, Gas and CBM Leased
0.14 acres 0.2383%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

CNX Gas Company LLC**Unit BA118****Tract Identifications****(58.74 Acre Unit)**

- 2E. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Company – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Charlie Brown, et ux – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 5.32 acres 9.0569%
- 2F. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Company – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Howell Keen – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 14.20 acres 24.1743%
- 2G. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Company – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Robert E. Keen, et ux – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased
 0.89 acres 1.5152%
- 2H. Swords Creek Land Partnership Tr. 15 (J. M. Hubbard 283.01 Acre Tract) – Coal
 Reserve Coal Properties Company – Below Tiller Coal Leased
 Knox Creek Coal Company – Tiller and Above Coal Leased
 CNX Gas Company LLC – CBM Leased
 Jessie Hale Heirs – Surface, Oil and Gas
 CNX Gas Company LLC – Oil, Gas and CBM Leased (11/30)
 0.08 acres 0.1352%

"This title block is for general informational purposes only and does not reflect an analysis of the severance deed and its effect upon coal bed methane ownership and should not be relied upon for such purpose."

Exhibit B-3
Unit BA-118
VGOB# 12-0821-3083
List of all Unleased Owners/Claimants
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
II. OIL & GAS OWNERSHIP		
<u>Tract #2H, 0.08 acres</u>		
(1) Jessie Hale Heirs <i>(Document pending 7/27/12)</i>	0.08 acres	0.1362%
(b) Dorothy Marie Beasley 1180 Summer St. Hammond, IN 46320	0.010 acres 1/8 of 0.08 acres	0.0170%
(d) Nadine Coleman PO Box 85 Pax, WV 25904	0.010 acres 1/8 of 0.08 acres	0.0170%
(e) Bobby Hale 1148 Coal Tipple Hollow Lebanon, VA 24266 <i>7/27/12 Dad Andrew's will returned mail</i>	0.010 acres 1/8 of 0.08 acres	0.0170%
(f) Cordelia Drevyanko Heirs, Devisees, Successors or Assigns <i>(Document pending 7/27/12)</i>		
(f.3) Eric Raines 1430 121st St. Whiting, IN 46394	0.003 acres 1/24 of 0.08 acres	0.0057%
(h) Arbutus Hale Heirs, Devisees, Successors or Assigns <i>(Document pending 7/27/12)</i>		
(h.1) Sheila Perkins PO Box 2139 Honaker, VA 24260	0.003 acres 1/24 of 0.08 acres	0.0057%
(h.3) David Hale PO Box 2139 Honaker, VA 24260	0.003 acres 1/24 of 0.08 acres	0.0057%
<u>TOTAL OIL & GAS ESTATE:</u>		
Acreage in Unit Unleased	0.04	
Percentage of Unit Unleased		0.0681%

Exhibit E

Unit BA-118

VGOB# 12-0921-3083

List of all Owners/Claimants that require escrow
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2H, 0.08 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24661 (J.M. Hubbard 283.01 Acre Tract)	0.08 acres	0.1362%
<u>OIL & GAS OWNERSHIP</u>		
(1) Jessie Hale Heirs: (Successors of Decedent, 7/3/12)	0.08 acres	0.1362%
(a) Shirley Reagan 204 Rockford Cedar St. Rockford, TN 37853	0.010 acres 1/8 of 0.08 acres	0.0170%
(b) Marie Beasley 1160 Summer St. Hammond, IN 46320	0.010 acres 1/8 of 0.08 acres	0.0170%
(c) Gail Curtis PO Box 143 Rockford, TN 37853	0.010 acres 1/8 of 0.08 acres	0.0170%
(d) Nadine Coleman PO Box 85 Pax, WV 25904	0.010 acres 1/8 of 0.08 acres	0.0170%
(e) Bobby Hale 1148 Coal Tipple Hollow Lebanon, VA 24266 (2/2/12 Decedent's (not recorded will))	0.010 acres 1/8 of 0.08 acres	0.0170%
(f) Cordelia Drevyanko Heirs, Devisees, Successors or Assigns (Decedent's will, 7/3/12)		
(f.1) Sherry Serrano 5320 B Matthews Dr. Chattanooga, TN 37412	0.003 acres 1/24 of 0.08 acres	0.0057%
(f.2) Charles Carter 401 heritage Dr., Apt. 302 Canton, GA 30114	0.003 acres 1/24 of 0.08 acres	0.0057%
(f.3) Eric Raines 1430 121st St. Whiting, IN 46394	0.003 acres 1/24 of 0.08 acres	0.0057%
(g) Beulah Harper Heirs, Devisees, Successors or Assigns (Decedent's will, 7/3/12)		
(g.1) Sandra Snyder 2190 Julie Ave. Sparta, WI 54656	0.002 acres 1/40 of 0.08 acres	0.0034%
(g.2) Diana Hale 35225 42nd Ave., South Auburn, WA 98001	0.002 acres 1/40 of 0.08 acres	0.0034%
(g.3) Trease Allen PO Box 224 Aztec, NM 87410	0.002 acres 1/40 of 0.08 acres	0.0034%

Exhibit E
Unit BA-118
VGOB# 12-0821-3083
List of all Owners/Claimants that require escrow
(68.74 Acre Unit)

BOOK 0760 PAGE 0700

	Acres in Unit	Interest in Unit
(g.4) Allen Harper 691 Wind Grove Rd., SE Marietta, GA 30067	0.002 acres 1/40 of 0.08 acres	0.0034%
(g.5) Renee Hoyden W. 2851 Swing-Hurst Lane Lake Geneva, WI 53147	0.002 acres 1/40 of 0.08 acres	0.0034%
(h) Arbutus Hale Heirs, Devisees, Successors or Assigns (Decedent's pending will)		
(h.1) Sheila Perkins PO Box 2139 Honaker, VA 24260	0.003 acres 1/24 of 0.08 acres	0.0057%
(h.2) Judy Chapman 165 Red Maple Lane Boone, NC 28607	0.003 acres 1/24 of 0.08 acres	0.0057%
(h.3) David Hale PO Box 2139 Honaker, VA 24260	0.003 acres 1/24 of 0.08 acres	0.0057%

TOTAL CONFLICTS:

Acres in Unit	0.08
Percentage of Unit	0.1362%

Exhibit EE
Unit BA-116
VGOB# 12-0821-3083

List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acres in Unit	Interest in Unit
<u>Tract #2A, 5.72 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	5.72 acres	9.7378%
<u>OIL & GAS OWNERSHIP</u>		
(1) Dallas James Whited 1422 Long Branch Rd. Swords Creek, VA 24649	5.72 acres	9.7378%
<u>Tract #2B, 3.90 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	3.90 acres	6.6394%
<u>OIL & GAS OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. 3971 Lynn Springs Rd. Swords Creek, VA 24649	3.90 acres	6.6394%
<u>Tract #2C, 6.29 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	6.29 acres	10.7082%
<u>OIL & GAS OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. 3971 Lynn Springs Rd. Swords Creek, VA 24649	6.29 acres	10.7082%
<u>Tract #2D, 0.14 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	0.14 acres	0.2383%
<u>OIL & GAS OWNERSHIP</u>		
(1) Leslie W. Peck, et ux. 3971 Lynn Springs Rd. Swords Creek, VA 24649	0.14 acres	0.2383%
<u>Tract #2E, 5.32 acres</u>		
<u>COAL OWNERSHIP</u>		
(1) Swords Creek Land Partnership, Tr. 15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	5.32 acres	9.0569%

Exhibit EE
Unit BA-118

VGOB# 12-0821-3083

List of Conflicting Owners/Claimants with Royalty Split Agreements
(58.74 Acre Unit)

	Acre in Unit	Interest in Unit
<u>OIL & GAS OWNERSHIP:</u>		
(1) Charlie W. Brown, et ux. 3963 Lynn Springs Rd. Swords Creek, VA 24649	5.32 acres	9.0569%
<u>Tract #2F, 14.20 acres</u>		
<u>COAL OWNERSHIP:</u>		
(1) Swords Creek Land Partnership, Tr:15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	14.20 acres	24.1743%
<u>OIL & GAS OWNERSHIP:</u>		
(1) Howell Keen 3389 Lynn Springs Rd. Swords Creek, VA 24649	14.20 acres	24.1743%
<u>Tract #2G, 0.89 acres</u>		
<u>COAL OWNERSHIP:</u>		
(1) Swords Creek Land Partnership, Tr:15 P.O. Box 187 Tazewell, VA 24651 (J.M. Hubbard 283.01 Acre Tract)	0.89 acres	1.5152%
<u>OIL & GAS OWNERSHIP:</u>		
(1) Robert E. Keen, et ux 3585 Lynn Springs Rd. Swords Creek, VA 24649	0.89 acres	1.5152%
<u>TOTAL CONFLICTS RESOLVED:</u>		
Acreage in Unit	36.46	
Percentage of Unit		62.0701%

130,797

VIRGINIA: IN THE OFFICE OF THE CLERK OF THE CIRCUIT OF RUSSELL COUNTY, 4-18, 2013. This deed was this day presented in said office, and upon the certificate of acknowledgment thereto annexed, admitted to record at 1:55 o'clock P M, after payment of \$ _____ tax imposed by Sec. 58.1-802.

Original returned this date to:

Diane Davis

TESTE: ANN S. McREYNOLDS, CLERK

BY: Jennifer Kendrick D. CLERK